

JANUARY 8, 1807.

Engrossed for a third reading.

A Bill,

To prohibit the importation or bringing of slaves into the United States, or the territories thereof, after the thirty-first day of December, one thousand eight hundred and seven.



1 *Sec. 1. BE it enacted by the senate and house of representatives of*
2 *the United States of America, in congress assembled, That from*
3 and after the thirty-first day of December, one thousand eight
4 hundred and seven, it shall not be lawful to import or bring into
5 the United States, or the territories thereof, any negro, mulatto, or
6 person of colour, with intent to keep, sell, or dispose of such negro,
7 mulatto, or person of colour as a slave, or to be held to service or
8 labour. And if any person or persons shall, after the said thirty-
9 first day of December, transport or bring, or cause to be transport-
10 ed or brought into the United States, or the territories thereof, any
11 negro, mulatto, or person of colour, contrary to the true intent and
12 meaning of this act, every person or persons so offending, shall be
13 deemed guilty of a high misdemeanor, and being thereof convicted
14 before any court having competent jurisdiction, shall suffer impri-

15 sonment, not more than ten nor less than five years: *Provided,*
 16 That nothing in this section shall be construed to affect any person
 17 or persons carrying or causing to be carried, his, her, or their slaves
 18 from one state or territory of the United States, to another state or
 19 territory of the United States; or any person or persons who may
 20 bring or cause to be brought into the United States such slave or
 21 slaves as may belong to any citizen of the United States, and have
 22 been born in the United States, or previously imported therein, ac-
 23 cording to law.

1 Sec. 2. *And be it further enacted,* That if any person or persons
 2 shall, after the thirty first day of December, in the year aforesaid,
 3 build, equip, fit, load, or in anywise prepare, or shall engage, or be
 4 concerned in preparing, loading, fitting, equipping, or building any
 5 ship or vessel, in any port or place within the jurisdictional limits
 6 of the government of the United States, for the purpose of employ-
 7 ing such ship or vessel in importing or bringing into the United
 8 States, or the territories thereof, any negro, mulatto, or person of
 9 colour, the importation or bringing of whom is by this act prohibit-
 10 ed, every such person shall forfeit and pay twenty thousand dollars,
 11 and such ship or vessel shall, together with her cargo, tackle, ap-
 12 parel and furniture, be forfeited.

1 Sec. 3. *And be it further enacted,* That if any ship or vessel, laden
 2 in whole or in part, with persons, the importation or bringing of
 3 whom is by this act prohibited, shall, after the thirty-first day of
 4 December, in the year aforesaid, be found in any river, bay, port,
 5 or harbour within the United States, or the territories thereof, or

any where on the high seas, within the jurisdictional limits of the government of the United States, the owner and master of such ship or vessel shall each forfeit and pay fifty thousand dollars ; and such ship or vessel, if brought into any port or place within a state or territory, the constitution and laws of which permit slavery, shall, together with her cargo, tackle, apparel, and furniture, be forfeited. And if brought into any state or territory, the constitution or laws of which forbid slavery, such ship or vessel, with her tackle, apparel and furniture, shall be forfeited. And the President of the United States is hereby authorized to employ such of the public armed vessels as he may judge proper in giving to this act full and complete effect.

Sec. 4. *And be it further enacted,* That if any negro, mulatto, or person of colour, the importation or bringing of whom is by this act prohibited, shall be found within any state or territory of the United States, the constitution and laws of which permit slavery, such negro, mulatto, or person of colour, shall be forfeited ; and every person or persons who shall be concerned in buying or selling such negro, mulatto, or person of colour, unless the same shall be exposed to sale under the process or order of a court having competent jurisdiction, shall forfeit and pay one thousand dollars, for each negro, mulatto, or person of colour, so bought or sold.

Sec. 5. *And be it further enacted,* That if any ship or vessel, owned in the whole or in part, by a citizen or citizens of the United States, or by any person or persons resident within the jurisdictional limits of the government of the United States, shall, after the thirty-first day of December, in the year aforesaid, be in any manner em-

6 ployed in importing or bringing into the United States, or the ter-
 7 ritories thereof, any person or persons, the importation or bringing
 8 of whom is by this act prohibited, such ship or vessel shall be liable
 9 to seizure wheresoever the same may be found, and shall, together
 10 with her tackle, apparel, and furniture, if brought into any state or
 11 territory of the United States, be liable to trial, sentence and con-
 12 demnation in any court having competent jurisdiction.

1 Sec. 6. *And be it further enacted*, That in all actions, suits, or infor-
 2 mations which shall be brought under the third, fourth, and fifth
 3 sections of this act, the burthen of proof shall lie on the claimant
 4 or party sued or prosecuted, where probable cause is shewn for the
 5 seizure or prosecution, to be judged of by the court before whom
 6 the information, or prosecution shall be tried. And when any
 7 seizure shall be made, or suit or prosecution commenced as afore-
 8 said, and judgment shall be given in favor of the claimant, or party
 9 sued or prosecuted, if it shall appear to the court that there was rea-
 10 sonable cause for such seizure, or such suit or prosecution, the said
 11 court shall cause a proper certificate or entry to be made thereof ;
 12 and in such case, the party claiming, sued, or prosecuted, shall not
 13 be entitled to costs, nor shall the person making the seizure, or in-
 14 stituting the suit or prosecution, be liable to any action or judgment
 15 on account thereof.

1 Sec. 7. *And be it further enacted*, That all penalties and forfei-
 2 tures arising under this act, may be sued for and recovered, and
 3 shall be distributed and accounted for in the manner prescribed by
 4 the act, intituled "An act to regulate the collection of duties on
 5 imports and tonnage."